

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA,	)	
	)	
v.	)	NO. 3:11-0046
	)	Judge Campbell/Bryant
STEPHEN McLAUGHLIN,	)	

O R D E R

Defendant McLaughlin, through counsel, has filed his motion for non-custodial transportation (Docket Entry No. 31). By this motion, Defendant seeks an order to 18 U.S.C. Section 4285 directing the United States Marshal to provide transportation for the Defendant from his home in Pelham, New Hampshire, to Nashville to attend court for the pretrial hearing scheduled for 9:00 a.m., Monday, January 28, 2013. As grounds, the motion asserts that the Defendant is without the financial means to get to the hearing from his home without this assistance.

The Government has filed a response (Docket Entry No. 32) stating that it has no opposition to Defendant's motion.


Title 18 of the U.S.C. Section 4285, provides that, when the interests of justice would be served thereby, and the Court is satisfied, after appropriate inquiry, that the Defendant is financially unable to provide the necessary transportation to appear in court as required on his own, the Court may direct the United States Marshal to arrange for that person's means of non-custodial transportation or furnish the fare for such transpor-

tation to the place where his appearance is required, together with subsistence expenses.

Defendant has filed his motion one business day before the date set for his court appearance in this case. Defendant has offered no evidence of his current financial circumstance other than the bare assertion in his motion that he is "without the financial means to get to the hearing from his home without this assistance."

Nonetheless, in the absence of any opposition by the Government and in consideration of the short notice between the filing of the Defendant's motion and the hearing for which assistance is sought, the undersigned Magistrate Judge **GRANTS** Defendant's motion and directs the United States Marshals Service to provide for non-custodial transportation and the required subsistence expenses for Defendant's transportation from his home in Pelham, New Hampshire, to the hearing in Nashville, pursuant to the provisions of 18 U.S.C. Section 4285.

It is so **ORDERED**.

  
s/ John S. Bryant  
JOHN S. BRYANT  
United States Magistrate Judge